

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	NO. LA CR13-00665-JAK
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER GRANTING STIPULATION RE</b>
	)	<b>PRELIMINARY ORDER OF FORFEITURE</b>
ALMUNTASSER HBAIU,	)	
	)	
Defendant.	)	[No Hearing Requested]
	)	
	)	
	)	
	)	

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 **I. FORFEITABLE PROPERTY**

3 Pursuant to defendant's conviction of Counts Fourteen and  
4 Fifteen of the Fourth Superseding Indictment the government has  
5 established the requisite nexus between the following properties  
6 and assets and the offenses of conviction. Having shown that  
7 the seized properties and assets constitute proceeds obtained as  
8 a result of such offenses all of the defendant's right, title  
9 and interest in the following specific properties and assets are  
10 hereby forfeited to the United States:

- 11 1. \$20,000 in U.S. currency seized on or about December  
12 5, 2012;
- 13 2. \$270,000 in lieu of real property located at  
14 Hummelstown, Pennsylvania;<sup>1</sup>
- 15 3. \$102,921.73 seized from Bank of America Account '0685,  
16 held by 3 Performance Plus Marketing, dba HK  
17 Nutraceuticals; and
- 18 4. \$12,159.71 seized from Bank of America Account XXXXX  
19 05542, held by Almntasser Hbaidu and Abdul Razza  
20 Hbaidu.

21 **II. IMPLEMENTATION**

22 IT IS FURTHER ORDERED that:

23 A. Upon the entry of this Order, and pursuant to Rule  
24 32.2(b)(3) of the Federal Rules of Civil Procedure, the United  
25 States) is authorized to take immediate possession of the  
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27 <sup>1</sup> Pursuant to Local Rule 5.2-1, personal residence addresses  
28 have been omitted.

1 properties and assets identified in Section I above.

2 B. Upon entry of this Order, the United States shall  
3 commence any applicable proceeding to comply with statutes  
4 governing third party rights, including giving notice of this  
5 and any other Orders affecting specific property. The following  
6 paragraphs shall apply to any ancillary proceeding conducted in  
7 this matter:

8 (1) The United States shall forthwith publish notice  
9 of this Order, notice of the government's intent to dispose  
10 of such property in such manner as the Attorney General may  
11 direct, and notice that any person, other than the  
12 defendant, having or claiming a legal interest in the  
13 subject property must file a petition with the Court within  
14 thirty (30) days of the publication of notice or receipt of  
15 actual notice, whichever is earlier. The United States  
16 shall also, to the extent practicable, provide written  
17 notice to any person known to have an alleged interest in  
18 the subject property.

19 (2) Any person, other than defendant, asserting a  
20 legal interest in subject property, may, within thirty days  
21 of the publication of notice or receipt of notice,  
22 whichever is earlier, petition the court for a hearing  
23 without a jury to adjudicate the validity of his alleged  
24 interest in the property, and for an amendment of the order  
25 of forfeiture.

26 (3) Any petition filed by a third party asserting an  
27 interest in the subject property shall be signed by the  
28 petitioner under penalty of perjury and shall set forth the

1 nature and extent of the petitioner's right, title, or  
2 interest in such property, the time and circumstances of  
3 the petitioner's acquisition of the right, title or  
4 interest in the property, any additional facts supporting  
5 the petitioner's claim, and the  
6 relief sought.

7 (4) After the disposition of any motion filed under  
8 Rule 32.2(c)(1)(A) of the Federal Rules of Criminal  
9 Procedure and before a hearing on the petition, discovery  
10 may be conducted in accordance with the Federal Rules of  
11 Civil Procedure if the Court determines that such discovery  
12 is necessary or desirable to resolve factual issues.

13 (5) The United States shall have clear title to the  
14 property identified in Section I herein following the  
15 Court's disposition of all third-party interests, or, if no  
16 petitions are filed, following the expiration of the period  
17 provided prescribed herein in for the filing of third party  
18 petitions.

19 C. Unless defendant objects in writing within 30 days to  
20 any of the findings or terms herein, this Order shall become a  
21 final Order of Forfeiture as to his interest in the property  
22 identified in Section I herein.

23 D. The Court shall retain jurisdiction to enforce this  
24 Order, and to amend it as necessary, pursuant to Rule 32.2(e) of  
25 the Federal Rules of Criminal Procedure.

26  
27 DATED: November 30, 2016

  
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JOHN A. KRONSTADT  
UNITED STATES DISTRICT JUDGE